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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 HARRY POLSTON,

11 Plaintiff,

12 v.

13 PATRICK GLEBE et al.

14 Defendants.

CASE NO. 3:11-cv-05290-RBL-JRC

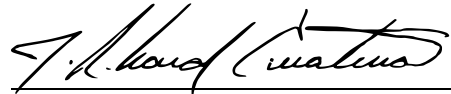
ORDER DENYING DEFENDANT'S  
MOTION TO STAY DISCOVERY

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16 This 42 U.S.C. § 1983 civil rights action has been referred to the undersigned Magistrate  
17 Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judge Rules MJR 1,  
18 MJR 3, and MJR 4. Defendants ask the court to stay discovery pending a decision on a motion to  
19 dismiss (ECF No. 21). Defendants do not assert qualified immunity in their motion to stay  
20 discovery. Instead, they argue they should not be burdened with discovery at this point in the  
21 litigation.

22 Discovery may represent the only viable avenue an inmate has for obtaining information  
23 as to who a defendant is or information as to which defendant may have taken certain actions.  
24 Here, plaintiff is challenging the return of benefit checks where his mail was not delivered

1 because it allegedly did not have his committed name and DOC number on the envelope (ECF  
2 No. 18, amended complaint). The motion to stay discovery is DENIED.

3 Dated this 22nd day of August, 2011.

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7 J. Richard Creatura  
8 United States Magistrate Judge  
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